

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6478

BILL NUMBER: SB 204

NOTE PREPARED: Dec 17, 2009

BILL AMENDED:

SUBJECT: Siting of Composting Facilities.

FIRST AUTHOR: Sen. Mrvan

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill increases the minimum permissible distance between the active area of a composting facility and a residence from 200 feet to one mile. It establishes a minimum permissible distance of one mile between the active area of a composting facility and a nonpublic or public school. The bill prohibits a unit of local government from setting such a minimum distance with respect to residences and schools of less than one mile. It allows a unit of local government to set such a minimum distance with respect to residences and schools of more than one mile.

Effective Date: Upon passage.

Explanation of State Expenditures: The Solid Waste Management Board, which is staffed by Department of Environmental Management (IDEM), may need to adopt rules to incorporate the changes proposed in the bill. Adopting or modifying rules are within IDEM's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

Explanation of State Revenues:

Explanation of Local Expenditures: The bill places restrictions on ordinances that a unit of local government may adopt relative to the distance required between the active area of a composting facility for vegetative matter and residences or schools. The bill would affect local expenditures only if local units must change their existing ordinances in order to conform to the provisions of the bill. The impact is not expected to be significant.

Explanation of Local Revenues:

State Agencies Affected: IDEM.

Local Agencies Affected: Local units adopting ordinances regarding the location of certain composting facilities.

Information Sources:

Fiscal Analyst: Bernadette Bartlett, 317-232-9586.